UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YOR	DOCUMENT ELECTRONICALLY FILED
	DOC #:
STREAM INTERNATIONAL GLOBAL	
SERVICES PHILIPPINES, INC.,	: 12 Civ. 3485
Petitioner,	:
	: ORDER CONFIRMING
v.	: ARBITRATION AWARD
PEEK, INC.	:
i BER, INC.	
Defendants	· ·
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Before the court is a petition by Stream International Global Services

Philippines, Inc. to confirm an arbitration award. Stream contracted with Peek,

Inc. to provide it with call center services and the parties agreed, in their

Master Services Agreement, that any disputes between them would be

arbitrated. Therefore, after Peek refused to pay Stream in accordance with

their agreement, Stream initiated arbitration proceedings against it in January

2001. Peek failed to participate in these arbitration proceedings and, in August

2011, the arbitrator concluded in Stream's favor.

The arbitrator awarded Stream \$182,584.41 plus interest of 18% from the dates of the unpaid invoices (the arbitrator noted that this amounted to \$52,328.82 as of June 30, 2011) in addition to attorneys' fees of \$14,000.00 and arbitration expenses of \$6,316.25. Peek has not complied with the

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arbitrator's order in any respect and the entire amount of the award remains

outstanding.

Stream therefore petitioned this court to confirm the arbitration award on

May 2, 2012. And though Peek was served the petition no later than July 7,

2012. Peek's response to the proceeding in this court has mirrored its response

to the arbitration proceeding: it has ignored them both.

Therefore the arbitrator's award is confirmed. Stream is entitled

\$182,584.41 in damages, \$52,328.82 in interest accrued prior to July 1, 2011,

and interest on the interest-inclusive damages award of \$234,913.23 at a rate

of 18% annually from July 1, 2011 until the date of its judgment in this court.

In addition, per the arbitrator's award, Stream is entitled to arbitration fees of

\$6,316,25 and its attorney's fees of \$14,000.00.

Because Peek has made no attempt to justify its refusal to comply with the

arbitrator's decision, Stream is also entitled to its attorneys' fees in petitioning

this court to confirm the award. See Int'l Chem. Workers Union (AFL-CIO).

Local No. 227 v. BASF Wyandotte Corp., 774 F.2d 43, 47 (2d Cir. 1985).

So ordered.

Dated: New York, New York

October 18, 2012

Thomas P. Griesa

U.S. District Judge